

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS WEEKLEY :

Plaintiffs, :

- against - :

THALES FUND MANAGEMENT, LLC; THALES  
FUND MANAGEMENT, LLC DEFERRED  
COMPENSATION PLAN; MAREK FLUDZINSKI and  
KEVIN ERSHOV :

Defendants. :

No. 12-cv-2499 (JSR) (KMF)

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**DECLARATION OF TAMMY P. BIEBER IN FURTHER SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS THE AMENDED COMPLAINT**

I, Tammy P. Bieber, am an attorney duly admitted to practice in the State of New York,  
hereby affirm under penalty of perjury, as follows:

1. I am a partner at the law firm of Tannenbaum Helpert Syracuse & Hirschtritt LLP,  
counsel for defendants Thales Fund Management, LLC, Thales Fund Management, LLC  
Deferred Compensation Plan, Marek Fludzinski and Kevin Ershov (collectively, "Defendants")  
in the above-captioned action. I submit this Declaration in support of Defendants' Reply  
Memorandum of Law in Support of Their Motion to Dismiss the Amended Complaint, which  
also applies to Plaintiff's Second Amended Complaint.

2. Annexed hereto as Exhibit A is a true and correct copy of a redlined draft of the Second  
Amended Complaint.

3. Annexed hereto as Exhibit B is a true and correct copy of a July 1, 2010 email from  
Jamin Koslow, Esq. to William Foster, Esq.

4. Annexed hereto as Exhibit C is a true and correct copy of plaintiff's employment

agreement with Thales Fund Management, LLC, referenced in ¶ 14 of the Second Amended Complaint.

Dated: New York, New York  
July 31, 2012

/s/ Tammy P. Bieber  
Tammy P. Bieber